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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,962	06/21/2006	Reinhold Braam	112740-1139	9725
86528	7590	05/28/2010	EXAMINER	
King & Spalding LLP 401 Congress Avenue Suite 3200 Austin, TX 78701			KHAN, MEHMOOD B	
			ART UNIT	PAPER NUMBER
			2617	
			NOTIFICATION DATE	DELIVERY MODE
			05/28/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

AustinUSPTO@kslaw.com
AustinIP@kslaw.com

Office Action Summary

Application No.

10/595,962

Applicant(s)

BRAAM ET AL.

Examiner

MEHMOOD B. KHAN

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to all of the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 18 recites "at least one of service type list", in line 2 of claim 18. It is unclear whether "at least one of service type list" further limits "each service type list" which is recited on line 11 of claim 17.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naddell et al. (US 5,613,213 herein Naddell) in view of Seppanen et al. (US 5,903,832 herein Seppanen).

Claim 17, Naddell a mobile communication terminal for operation of at least two mobile radio communication systems in respectively associated mobile radio networks (**Fig. 1: 101, 102, 108, where Naddell discloses system A, system B and mobile unit**), comprising:

Naddell discloses each said mobile radio communication system operable to provide a user of said mobile communication terminal with a plurality of services of different types (**Fig. 1: 108, 101, 102, Fig. 2: 208, 209, where Naddell discloses a mobile phone in communication with two different networks offering different services**),

Naddell discloses wherein said mobile communication terminal is connected to receive and effect further processing of a plurality of data records wherein each said data record is associated with one respective type of said services (**Col 2: 14-23, where Naddell discloses sending information to a mobile regarding services from different radio communication systems; Col 3: 41-48, Fig. 2: 201, where Naddell discloses a controller and processing of indicators**),

Naddell discloses wherein each of the at least two mobile radio communication systems provides the mobile communication terminal at least one service of the same service type (**Fig. 2: 208, 209, where Naddell discloses that S3 is provided in both systems A and B**);

Naddell discloses a plurality of service type lists (**Fig. 2, read as services S1-S4**), Naddell discloses said services stored using said data records, said data records containing information used by said services to be assessed by a user (**Fig. 2: 205, 207, 208, 209, where Naddell discloses a memory, table, systems and services**;

Col 2: 12-21, where Naddell discloses information, i.e. records, decoded to display services to a user).

Naddell does not explicitly disclose each service type list corresponding to a different one of the plurality of different service types, and listing only services of the one particular service type which are provided by any of said mobile radio networks.

In an analogous art, Seppanen discloses each service type list (**Col 8: 62-65, selection of data, i.e. a service, leads to listing networks that provide data service, as shown in Figs. 15A-15C**) corresponding to a different one of the plurality of different service types (**Col 8: 62-65, since the user can select a different service, thus a different one of the plurality of different service types (data, SMS, etc)**), and listing only services of one particular service type which are provided by any of said mobile radio networks (**Col 8: 62-65, selection of data, i.e. one particular service type, leads to listing networks which provide the selected service, thus listing of services of one particular service, the list of networks as shown in Figs. 15A-15C provide the selected service**). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Naddell to select networks based on service type as taught by Seppanen so as to allow the user the benefit service selection (**Col 4: 38**).

Claim 18, Naddell does not explicitly disclose wherein entries in at least one service type list have different priority among each other.

In an analogous art, Seppanen discloses wherein entries in at least one service type list have different priority among each other (**Col 4: 2-4, where Seppanen discloses selecting networks from a prioritized list**). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify Naddell to prioritize networks with services as taught Seppanen so as to allow the user to select from a prioritized list (**Col 3: 49-50**).

Claim 19, Naddell does not explicitly disclose wherein an assessment criterion is defined for the priority.

In an analogous art, Seppanen discloses wherein an assessment criterion is defined for the priority (**Col 4: 5-9, where Seppanen discloses different priorities of different networks**). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Naddell to prioritize networks with services as taught Seppanen so as to allow the user to select from a prioritized list (**Col 3: 49-50**).

Claim 20, Naddell does not explicitly disclose wherein the assessment criterion is user-defined.

In an analogous art, Seppanen discloses wherein the assessment criterion is user-defined (**Col 4: 15-20, where Seppanen discloses programming priority**). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Naddell to prioritize networks with services as taught Seppanen so as to allow the user to select from a prioritized list (**Col 3: 49-50**).

Claim 21, Naddell discloses wherein said mobile communication terminal is operable such that said service type list can be shown on a display device on said mobile communication terminal (**Abstract, where Naddell discloses displaying on a**

display), Naddell discloses further comprising selection means for selecting a service of a desired service type from said list **Fig. 3: 301, 306, where Naddell discloses choosing of a system**).

Claim 22, as analyzed with respect to the limitations as discussed in claim 21.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **MEHMOOD B. KHAN** whose telephone number is (571)272-9277. The examiner can normally be reached on Monday - Friday 8:30 am - 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-

273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617

/M. B. K./
Examiner, Art Unit 2617